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LB 833, 835

revisions that might be necessary as the state prepared to implement the state livestock price reporting provisions, and other portions of LB 835. As it turns out, Congress jumped on the bandwagon and enacted a federal mandatory livestock reporting law, which was signed into law on October 22. The federal Livestock Mandatory Reporting Act of 1999 contained a fairly explicit preemption of state price reporting laws. The effect of this preemption has been the subject of two Attorney General's Opinions. These opinions are the impetus behind the committee amendments which become the bill. I would therefore like to end my opening at this time and ask that the...that we address the bill on the committee amendments. Thank you.

PRESIDENT MAURSTAD: Senator Dierks, you're recognized to open on the committee amendments.

SENATOR DIERKS: Thank you, Mr. Speaker and members of the Legislature. The committee amendments become the bill and basically make various corrections in LB 835, enacted last year, which have become necessary due to passage of legislation at the federal level which have interacted with our own law. Just to refresh the members memory, there were several elements of the Competitive Livestock Markets Act, passed by this body nearly unanimously last session. The bill, as you may recall, could be broken down into four distinct areas. First LB 835 prohibited packers from directly or indirectly owning, keeping or feeding livestock. Secondly, LB 835 provided for a system of price reporting by which packers would report prices paid for both hogs and cattle, both for livestock purchased on the cash market and those purchased by contract. The information was to be compiled and published by the Nebraska Department of Agriculture. Thirdly, LB 835 enacted certain restrictions on the contracts for the purchase of cattle; specifically, the legislation prohibited contract purchases in which the date of delivery is not specified, and which the base price is not determined prior to commitment of the cattle, and which prohibits the seller from disclosing the terms of the contract. And finally, the legislation contained antiprice discrimination language with respect to both cash and contract purchases of swine. Specifically, LB 835 prohibited paying different prices to sellers of swine, unless the price was based on carcass merit or differences in transportation costs. The effect of federal